

Message Text

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TO USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 138350

E.O. 11652:GDS

TAGS: MARR, UN, UR

SUBJECT:PEACEKEEPING GUIDELINES: WORKING GROUP

CONSIDERATION OF ART. 6 AND NON-ALIGNED

DRAFT ON ART. 4

REFS: USUN 1953; STATE 128618; STATE 129952

1. RE WORKING GROUP CONSIDERATION OF ART. 6 ON ROLE OF SECRETARY GENERAL, WE AGREE THAT IF ALL FOUR ALTERNATIVES ARE MAINTAINED THEN IT WOULD NOT RPT NOT BE NECESSARY TO AMEND UK DRAFT ALONG LINES SUGGESTED IN STATE 128618. OUR MAIN CONCERN IS TO ENSURE THAT ART. 6 CONTAINS CLEAR REFERENCE THAT SYG'S AUTHORITY IS DERIVED FROM UN CHARTER AND NOT SOLELY FROM SECURITY COUNCIL. IF, AS INDICATED IN USUN 1953, DISCUSSION BECOMES FOCUSSED ON FRENCH VERSION, WE WOULD WISH CHANGES IN FRENCH VERSION SO THAT IT WOULD READ AS FOLLOWS: "THE SECRETARY GENERAL DIRECTS PEACEKEEPING OPERATIONS PURSUANT TO THE UN CHARTER. HE
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ALSO ACTS UNDER THE AUTHORITY OF THE SECURITY COUNCIL IN CARRYING OUT PEACEKEEPING FUNCTIONS DELEGATED TO HIM BY THE COUNCIL." OTHER ALTERNATIVES FOR PHRASE "PURSUANT TO"

ARE "IN ACCORDANCE WITH" AND "UNDER THE AUTHORITY OF".

2. RE NON-ALIGNED DRAFT ART. 4 ON SECURITY COUNCIL COMMITTEE ESTABLISHED UNDER ART. 29 OF CHARTER, WE AGREE THAT OVERALL THRUST OF NON-ALIGNED DRAFT IS IN LINE WITH CONFIDENTIAL

US POSITION AND THAT WE SHOULD, IF POSSIBLE, LET SOVIETS TAKE BRUNT OF OPPOSING DRAFT. IF, NONETHELESS, WORKING GROUP BECOMES ENGAGED IN DETAILED CONSIDERATION OF THIS DRAFT, USDEL SHOULD TAKE FOLLOWING POSITIONS WHICH TAKE INTO ACCOUNT MISSION'S EXCELLENT COMMENTS AND SUGGESTIONS CONTAINED IN USUN 1953 (FOLLOWING REFERENCES REFER TO PARAS IN NON-ALIGNED DRAFT):

3. RE PARA I, IF NON-ALIGNED ARE UNWILLING ACCEPT PREVIOUS DEPT SUGGESTION RE REFERENCE TO SYG, USDEL SHOULD SUGGEST CHANGING "ADVISE" TO "CONSULT WITH". LATTER PHRASE SEEMS MUCH MORE IN KEEPING WITH NATURE OF ENTIRE DRAFT ARTICLE, WHICH ORIENTS COMMITTEE TOWARD ADVISING THE SECURITY COUNCIL.

4. RE PARA II, OUR INITIAL COMMENTS IN STATE 129952 RECOGNIZED THAT PREFERRED CHANGES MIGHT NOT BE FEASIBLE. IN VIEW MISSION'S COMMENTS, WE CONCUR THAT USDEL NEED PROPOSE NO CHANGES TO NON-ALIGNED DRAFT.

5. RE PARA III, WE WOULD STILL PREFER TO HAVE ENTIRE PARAGRAPH DELETED IN VIEW OF POTENTIAL PROBLEMS CITED PARA 6 OF STATE 129952. IF THIS IS NOT FEASIBLE, USDEL SHOULD PROPOSE FOLLOWING: "THE COMMITTEE MAY CONSULT WITH REPRESENTATIVES OF PARTIES TO THIS DISPUTE, OR, AS APPROPRIATE, MAY INVITE THEM TO ATTEND ITS MEETINGS."

6. RE PARA IV, FIRST SENTENCE, SUGGEST SUBSTITUTING "MAY ATTEND" FOR "WILL BE PRESENT...AT" IN PRESENT DRAFT, OR OTHER FORMULATION WHICH WOULD LEAVE PARTICIPATION OF SYG OR HIS REPRESENTATIVE TO HIS DISCRETION. RE SECOND CONFIDENTIAL CONFIDENTIAL

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SENTENCE, WE CONSIDER THAT ADDING INTRODUCTORY PHRASE "AS APPROPRIATE", WHILE HELPFUL, WOULD NOT ENTIRELY RESOLVE PROBLEM. WE NOTE THAT REQUEST FOR INFORMATION MIGHT BE CONSIDERED PROCEDURAL MATTER, WHICH WOULD ONLY REQUIRE MAJORITY VOTE OF COMMITTEE. CONSEQUENTLY, UNLESS URQUHART AND SECRETARIAT HAVE BETTER SUGGESTION, USDEL SHOULD IF POSSIBLE SEEK TO AMEND SECOND SENTENCE TO READ: "HE SHOULD PROVIDE THE COMMITTEE WITH COPIES OF REPORTS AND OTHER INFORMATION RELEVANT TO THE DELIBERATIONS OF THE COMMITTEE."

7. RE PARAS V AND VI, WE HAVE NO CHANGES TO SUGGEST.

8. RE PARA VII, WE CONTINUE TO HAVE TROUBLE WITH PROVISION THAT ALL VIEWS EXPRESSED IN THE COMMITTEE WOULD, IN ABSENCE OF UNANIMITY, HAVE TO BE REFLECTED IN REPORTS TO THE SECURITY COUNCIL. SINCE PARA VI PROVIDES FOR PERIODIC REPORTS AND SPECIAL REPORTS

(PRESUMABLY A PROCEDURAL QUESTION), SUGGESTION IN PARA 4(F) OF USUN 1953 WOULD NOT REALLY MEET PROBLEM. WE THEREFORE SUGGEST AS PARTIAL SOLUTION OF PROBLEM THAT LAST SENTENCE BE CHANGED TO READ AS FOLLOWS: "THERE WOULD BE NO VOTING ON OTHER ISSUES, AND IN THE ABSENCE OF UNANIMITY, THE COMMITTEE MAY DECIDE THAT THE VIEWS EXPRESSED IN THE COMMITTEE WOULD BE REFLECTED IN ITS REPORTS TO THE SECURITY COUNCIL."

9. RE MANDATORY CONNOTATION OF MOST PARAGRAPHS, CONCUR WITH MISSION SUGGESTION OF PROPOSING CHANGES IN LOW-KEY, AND AS FALL BACK TO MAKE STATEMENT FOR RECORD ALONG LINES THAT CONDITIONAL VOICE IS MOST APPROPRIATE IN THIS CASE SINCE ESTABLISHMENT OF COMMITTEE IS ITSELF OPTIONAL. KISSINGER

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